CHAPTER 4

FINDINGS AND DISCUSSION

4.1 Introduction

This chapter presents the results of the data analysis of this study that explore the content knowledge that should be taught in a small-claims court interpreting curriculum and how lessons plans can be devised in a way that is compatible with findings in neuroscience research and brain-based education. In particular, it answers the first three research questions related to situational, conceptual and procedural knowledge.

Situational knowledge, as the following sections reveal, refers to the interpreter's contextual understanding of the courtroom environment, including the rules of appointment, the spatial and procedural setting of small-claims courts, and the interpreter's own professional status within the judicial system. This form of knowledge largely influences the interpreter's conduct, such as the appropriate choice of register, terms of address, and interactional strategies when communicating with judges, litigants, and other court participants. Situational knowledge is found to be essential for both securing the interpreter's appointment and maintaining professional credibility and role boundaries during proceedings. Situational knowledge enables interpreters to navigate institutional expectations and perform with accuracy, neutrality, and authority in the unique communicative setting of small-claims courts.

Conceptual knowledge in the context of small-claims court interpreting refers to the interpreter's understanding of the legal and thematic domains relevant to a dispute, enabling them to grasp and accurately convey the underlying concepts and

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

terminology involved. This includes familiarity with the typical subject matter of cases (e.g., accountancy, manufacturing, mechanics, etc.), and the ability to anticipate and articulate key legal terms with minimal prior exposure to the specific details of the case. In addition, conceptual knowledge encompasses an interpreter's foundational understanding of legal systems and principles, particularly the five recognized sources of legal obligations and rights in Jordanian law (such as contract, harm, enrichment, etc.). This knowledge allows the interpreter to perceive the pragmatic legal implications of what is being said and to render the message in a manner that maintains its legal effect, accuracy, and contextual appropriateness. It is, therefore, essential for ensuring that the interpretation supports both legal precision and communicative clarity in judicial proceedings.

Procedural knowledge in the context of small-claims court interpreting refers to the interpreter's ability to apply linguistic, cognitive, and management skills in real-time to perform interpreting tasks effectively. It encompasses the "know-how" required to carry out various interpreting modes used in court settings, including CI, summary interpreting, whispered (chuchotage) interpreting, verbatim interpreting, and sight translation of legal documents. Procedural knowledge also involves strategic management of the courtroom interaction, such as knowing when and how to request clarifications, appropriately interrupt proceedings when necessary for accurate interpretation, and maintaining control over the interpreting process to ensure fidelity and professionalism. This type of knowledge integrates memory retention, rapid language processing, and situational judgment, enabling interpreters to navigate the dynamic and often high-pressure environment of small-claims courts.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

Taken together, situational knowledge, conceptual knowledge, and procedural knowledge form the core professional competency required of small-claims court interpreters in Jordan. These three knowledge domains are interdependent: situational knowledge ensures that interpreters understand the courtroom environment and their professional role within it; conceptual knowledge equips them with the legal and thematic understanding necessary to grasp and accurately render the meaning of disputes; and procedural knowledge enables them to apply interpreting techniques and manage real-time courtroom interactions effectively. Collectively, these types of knowledge not only define the competency profile of a small-claims interpreter but also constitute the essential content knowledge that must be embedded in any training program aimed at authentically preparing students for the realities of professional court interpreting in Jordan. A training curriculum that meaningfully integrates these areas bridges academic learning with professional practice, ensuring that graduates are well-equipped to meet the demands of real-world small-claims court interpreting.

Table (4.1) below lists the revealed components of the three types of knowledge.

Table 4.1 Emerging themes

Open codes	**Axial codes**	**Selective codes**
outsourcing procedure	Appointment	Situational knowledge
conflict of interest		
taking the oath	Professional status	
language conduit		
attire		
Court officials in the courtroom	Court room	
posture		
official address		
classical Arabic		
subject matter	Domain knowledge	Conceptual knowledge
Technical terms		
case claims	Case-specific knowledge	

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

litigants	Legal knowledge	
legal linguistic implications		
legal pragmatics		
consecutive interpreting	Mode of interpreting	Procedural knowledge
whispering interpreting		
sight interpreting		
verbatim interpreting		
summary interpreting		
dictating the court reporter		
note-taking	Memory skills	
short-term memory		
concentration		
listening	Language skills	
speaking		
accuracy		
sequencing	Management skills	
editing		
accents		
interrupting		
asking for clarification		
asking for repetition		

4.1.1 Situational knowledge of SCC interpreters in Jordan

The courtroom, as described by the interviewees, is not spacious. It is typically office-like and consists of a bench where the judge sits and a small desk next to it for the court reporter. There is also a large computer screen visible to everyone entering the room. This screen is used for the disputants or witnesses to review their statements as transcribed by the reporter. They can approve, make amendments, or changes as necessary. Interpreters and lawyers said there was no official rule for the appointment of court interpreters. The primary method is through the court administration office, known as the Diwan, where interpreters can leave their business cards for their service promotion. Alternatively, interpreters can be outsourced by a translation office or a law firm. In this case, they are contacted directly, and the location and fees are negotiated.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

According to all in the Professional Group, judges at hearings did not consistently ask the interpreters to produce qualification evidence, such as copies of translation/interpreting certificates, except for DP7, who showed the judge a card of his membership to the Jordanian Translators Association. According to all in the Professional Group, the judge assessed their eligibility by asking questions like: “Do you speak [the foreign language]? Do you personally know any of the case parties or witnesses?” Once admitted to the courtroom, the formalities of checking on the interpreter’s eligibility starts. The judge checks on any conflicts of interest, and swears in the interpreter as required by the law. This typically involves a series of questions and orders answered by the interpreter as in the following dialogue:

Judge: You are the interpreter, correct?

Interpreter: Yes, your honour! I am the interpreter.

Judge: Are you qualified to perform interpretation between Arabic and Language X?"

Interpreter: Yes, your honour! I hold a degree in X language and have experience in it.”

Judge: Do you have any prior knowledge of the disputants or witnesses?"

Interpreter: No, your honour!

Judge: Place your hand on the Qur'an and repeat after me: 'I solemnly swear by God Almighty that I will faithfully carry out the task entrusted to me, faithfully and sincerely.’” (in Arabic: أقسم بالله العظيم أن أؤدي المهمة الموكلة إلي بأمانة وإخلاص)

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers’ Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

4.1.2 Procedural knowledge of SCC interpreters in Jordan

The interview revealed issues of procedural knowledge which they applied on performing interpreting in their cases. Interpreters unanimously agree that the interpretation should be conducted in classical Arabic to facilitate the court report writing. If an interpreter needs to request a statement repetition from a participant, they do so through the judge. For example, they might say, "The interpreter requests that the plaintiff repeat what he said" or "The interpreter asks the defendant to clarify." When addressing the judge, some interpreters use "Your Honor," while others opt for "Ya Bey."

Court interpreting requires the interpreter to be familiar with what INT3 calls ‘protocols of the court’, to be well prepared (INT1) and to preserve own ‘prestige’ as indicated by INT10. Before taking the job, an interpreter should be prepared by having some knowledge about the case according to all members of the professional group except for INT10 who stated that such information should be kept to the minimum adequate amount to ensure that an interpreter’s neutrality is not compromised by knowing too much about the case litigants. He said “I am a human being and have emotions. I cannot guarantee that my heart inadvertently goes in favour of a litigant against the other.”

All interpreters in the professional group said they were not members of a roster that could otherwise be held by courts or the Ministry of Justice. The absence of such rosters caused one interpreter, INT7, to lose opportunities to work in further cases at court. She said upon visiting the court to inquire why it no longer contacted her for more jobs, the answer from the Administrative Office was that they did not have any idea about her as an interpreter as they did not maintain a list.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers’ Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

Given the reported lack of rigid interpreter eligibility requirements, I asked the interpreters if they were aware of any error they could have made in interpreting. All professional interpreters except INT10 and INT1, said they did not commit errors in interpretation, stating that the discourse at a court room was, according to their experience, simple and the interlocutors would speak in small chunks. All of the professional interpreters denied that their interpretation was contested by any interlocutor at court, whether disputants, witnesses or the judge, or was subject to judicial review at apex courts, to the best of their knowledge. Nevertheless, INT1 said the judge asked her for confirmation on a given interpreting of an utterance, alluding, she suggests, to an error, upon which she said "I am sorry. I made a mistake" and made the correction accordingly. INT10 indicated that he made a mistake in one of the cases he interpreted for, but once he realized that, he immediately notified the judge of the error and asked a correction in the script. According to INT10, "It turned out that the omitted phrase was indeed the most important element of the criminal charges that would determine the outcome of the case." He further elaborated that all testimonies, including those made through his interpretation, were shown on three screens, one before the judge, another with the scribe and a third one shown to all participants in the court room. At the end of the proceedings, INT10 said: "the judge asked me to do sight interpretation of the screen to the non-Arabic speaking litigant then I counter-signed the statement". This procedure has not been cited by any other interpreter of the study.

The participants in the Expert Group agree that there are no rigid legal provisions governing the appointment of interpreters at court, and that the law considers court interpreters as experts under the Bylaws of Experts Before Regular Courts of 2018, which considers interpreters as expert witnesses and does not specifically provide

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

for the rights and responsibilities of court interpreters. According to the expert group, court interpreters can be nominated by the litigant or alternatively can be sought through the Administrative Office (al diwan) of the court, which may happen to have business cards of interpreters. The main qualifications of an interpreter are their ability to speak Arabic and another language and take a statutory oath. They said there is no system for court interpreter rosters and that any person who speaks a foreign language beside Arabic can act as a court interpreter, with the only legal requirement for him being taking the statutory oath to interpret what he hears faithfully and accurately. The Expert Group stressed the absence of a code of conduct of rigid professional qualification system for court interpreter. The implication, according to Exp3, is that an interpreter would "unfortunately interpreter what they understand, without understanding that they could ask for clarification when in doubt, making them at times render a weak interpretation."

When asked about the eligibility criteria that they would consider when recruiting an interpreter for their own cases, EX2 said "I will never rely on a person just because he speaks Arabic and the foreign language. My criteria will include a degree in translation and knowledge of court procedures and terminology." DP3 says that if the hearing was related to rent and lease, for example, then "I would expect the interpreter to be familiar with terms used in this field." EX4, however, said that "the language that litigants and witnesses use is almost free of legal terms; therefore, I would accept any person who speaks Arabic and the foreign language fluently to do interpretation at the hearing." INT1 supports this idea, saying that "the required skills for court interpreters are nothing more than correct language use and interpretation."

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

When asked how they could detect interpretation errors, DP3 stated that even if he did not speak the foreign language, he would assess the quality of interpreting by comparing the emotions expressed by his non-Arabic speaking client with how the message was expressed through the interpreter and would use discretion to decide if the interpretation was not adequate. EXP9 stated that if he spoke the foreign language and detected errors, he would interrupt the proceedings and raise this issue spontaneously, possibly by asking a replacement for the interpreter. DP1 stated that in November 2021, he was representing a non-Arabic speaking client. "The court appointed an interpreter, who made lots of mistakes. I made an insisting objection to the interpretation and asked for a replacement. The judge finally agreed, and the session was adjourned pending the appointment of another interpreter." DP1 further elaborates that when such errors happen "judges cannot interfere, correct or replace the interpreter on their own motion even if the judges spoke the foreign language."

In summary, the procedural knowledge of SCC interpreters in Jordan were found to include: mode of interpreting (consecutive, whispering, sight, verbatim and summary interpreting, dictating the court reporter), memory skills (taking notes, managing short-term memory, and concentrating), language skills (listening, understanding accents, and accuracy) and management skills (sequencing, editing, dealing with accents, interrupting, asking for clarification and repetition).

4.1.3 Conceptual knowledge of SCC interpreters in Jordan

The following sub-sections reveal that there are three types of conceptual knowledge for small-claims court interpreters: domain knowledge, case-specific knowledge and legal knowledge.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

4.1.3(a) Domain knowledge

Domain knowledge refers to knowledge needed to perform a task, such as when a legal expert needs to have knowledge of laws to conduct legal analysis (Wenden, 1995). All interpreters, but one, said prior knowledge of the domain of the subject dispute was not required for them. Their explanation was that even if the subject dispute related to a technical field, judges asked litigants and witnesses straightforward questions about the facts pertaining to their claims, rather than about the technicality of a given domain. The only exception was with INT1 who reported having some difficulty with one highly technical case and suggested it would have been helpful if she were given a brief about the subject in advance. INT7 described needing to review the key concepts of a case but "I was denied access to the file because of confidentiality". Conversely, recognizing his lack of information on the subject matter dispute, INT10 requested the court give him time to read through the case to prepare himself, to which the judge agreed. INT10 said "I wouldn't see a reason why the judge would refuse."

The Expert Group suggested that the depth of a court interpreter's domain knowledge varies from case to case. DP6 noted, 'If the case involves only superficial utterances given by witnesses, … prior knowledge is not needed. If a witness … deeply elaborates the particulars of the case, prior knowledge will help the interpreter.' However, DP7 said he would recommend the interpreter to have prior domain knowledge to check for any terms that will be used. DP1 explained that some cases require technical knowledge and that the interpreter 'should have prior knowledge of the case to avoid any surprises'.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

In summary, interpreters in Jordanian courts need to possess domain knowledge relevant to the field of the dispute. This often requires a thorough understanding of the specific terminology used, especially technical terms that may arise during the case.

4.1.3(b) Case-specific knowledge

Case-specific knowledge for INT5 meant knowing the names of the judge, litigants and witnesses, with all interpreters agreeing that expansive knowledge of the dispute was not needed. INT10 would even avoid accessing such details to protect his neutrality. This concern was echoed by DP4, who said, 'Some judges do not allow the interpreter to peruse the case file, otherwise [they] would dismiss the interpreter and appoint a replacement." In contrast, DP7 noted 'I asked the judge about the case, and the judge himself gave me the details'. DP1 added, 'Especially in criminal cases where lots of legal terms are used, the interpreter should have prior knowledge of the case to get hold of and correctly interpret those terms.' There is yet a paradox indicated by DP2, who stated that his being a lawyer entails bias towards his client, so giving the interpreter prior information about the case could harm their neutrality. At the same time, without such knowledge, the interpreter may make mistakes hard to be explained to the judge, concluding that 'I would prefer to acquaint the interpreter just with technical terms, if any.' The remaining lawyers said they did not know if an interpreter's prior knowledge was harmful to their cases.

In summary, case specific knowledge includes the names of the disputants and the subject dispute. Since some judges do not admit interpreters who have prior knowledge of the case, the knowledge of the case should be very limited and shallow.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

4.1.3(c) Legal knowledge

All the interpreters agreed that a small-claims dispute would not normally require in-depth legal knowledge. INT3 gave examples of the questions judges ask, such as, 'What do you do for a living?' and 'What is your age?' INT6 said he had never encountered any legal terms. INT4 agreed, saying, 'In the four cases I interpreted for, I did not need any legal knowledge'. INT4 also added that 'the words used in the testimonies at court were general, aside from some legal terms that an interpreter could learn to use through self-preparation'. DP5 noted, 'The interpreting of civil cases is usually easy since they rely heavily on written documentation. [Conversely], criminal cases rely heavily on witnesses' testimonies to help the court define the crime accordingly'.

DP1 and DP2 underestimated the relevance of legal education to civil case interpreting training, opining that cases were simple, and plain language was used at court[1]. INT4 said 'the judge simplified questions to disputants, who being not legally specialised, used simple language as well'. INT10 pointed out that some cases involved legal jargon, suggesting that 'a catastrophe would happen if the interpreter misinterpreted such terms in a companies-related case'. Nevertheless, even when INT2 faced an unfamiliar legal term, the judge clarified to him its meaning. Some interpreters drew a contrast, saying that, unlike small claims, criminal cases require the interpreter to have some legal knowledge. INT3 noted that in a criminal case, he had to exert extra care to ensure that the defendant clearly understood the charges against him.

---

[1] DPI stresses legal knowledge in criminal cases, citing real examples he witnessed. An interpreter's erroneous rendering of 'received' instead of 'took' changed the conviction from 'stealing to 'breach of trust'.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

Nine experts suggested that the language used in small claims in Jordan is simple, with only a few legal terms that may arise. However, three believed that legal language is used in small claims cases to the extent that only professionally experienced interpreters could understand it. Four experts recommended a court interpreter to have legal knowledge for small claims cases. The remaining participants disagreed, believing that small claims are straightforward, thus not requiring legal knowledge. DP1 pointed out that legal education is not as important as understanding the propositional and pragmatic meaning of utterances exchange in court.

In summary, the participants believe that legal knowledge is equivalent to knowledge of legal terms. Therefore, they conclude that small-claims cases rarely involve legal terms, leading them to believe that legal knowledge is not important for a court interpreter.

4.2 Discussion of the semi-structured interview results

Both groups highlighted the importance of getting situational knowledge of the court before appearing there as an interpreter. Some relevant thoughts included a description of the court room, which is office-like, a requirement that interpreters are not allowed to sit down, though they can take notes, and an unwritten attire code for interpreters. In connection with this type of knowledge, interpreters are required to know how to take the oath, how to address the judge properly and refrain from talking directly to any court participant without the permission of the judge. All of this goes along the line of a code of conduct as in some other countries, with the main difference that those codes of conduct are written in countries like the United States. Such emphasis, though, is found elsewhere, where professional interpreters teaching court

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

interpreting tend to focus considerably on contextual knowledge of the court, in addition to the interpretation skills (Stern, 2018).

Nevertheless, none of the interviewees believed that ignorance of the situational knowledge could lead to errors in interpreting. Since errors committed by interpreters in Jordan are almost impossible to appeal or even detect, it is hard to verify whether indeed lack of this type of knowledge can result in errors. However, experience elsewhere suggests lack of situational knowledge may result in errors (Russel & Takeda, 2015), may affect inexplicit messaging in the courtroom (Lee, 2009a) and should be taught in short courses (Liu & Hale, 2018).

4.2.1(a) Domain knowledge

The professional groups described their cases as generally simple, as were the judge's questions and the litigants' and witnesses' answers. Consequently, some asserted that the basic knowledge they needed was limited to proficiency in Arabic and foreign languages. Others in the expert group agreed, noting that civil cases, in particular small claims cases, depend heavily on written evidence and that communication between interlocutors is simple. They also pointed out that when a judge hears a case involving litigants or witnesses who are unfamiliar with Arabic, they simplify the language of the proceedings to make the interpreter's task easier. If this assumption is correct, it may partially explain the absence of rigid requirements for court interpreters in the Bylaws of Experts Before Regular Courts. These findings align with the principle of plain language use, whereby a language user opts for the 'simplest, most straightforward way of expressing an idea' (Garner 2001) and where Japanese

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

courts use plain Japanese featuring simple sentence structures at hearings (Yamamoto 2019).

Knowledge of the subject dispute area was highlighted by all interpreters except INT10, who believed prior knowledge of the case could harm his neutrality, an idea that was echoed by one lawyer (EXP4). This suggestion is in line with some international practice: courts sometimes make it compulsory to recruit an interpreter without prior knowledge of the subject dispute to prevent 'contamination' (Stone 2018). This aligns with Australian practice, where some interpreters have reported being reprimanded by judges for requesting access to case materials for preparation (Wong, 2019). However, the other interpreters and lawyers did not agree: they believed that previous knowledge of the case would allow interpreters to familiarise themselves with the terms to be used in the courtroom. This finding is in line with previous research that has stressed an interpreter's need for previous knowledge and experience with the subject dispute domain and terminology (González, Vásquez, and Mikkelson 1991). An interpreter's lack of contextual knowledge in court may also entail an increased risk of misinterpretation (Lee 2007, 109). Hale (2010, 441) suggested that inadequate court interpreting does not solely involve the interpreter's competence but also their court specialist training and prior preparation. It may also be unrealistic to expect an interpreter to work in court without knowledge of the topic or terminology, notwithstanding judges' concerns over interpreters' impartiality (Kenny 2019, 65). González, Vásquez, and Mikkelson (1991, 877) held that knowledge of burglaries is required to interpret real-life cases and that the more experience interpreters have in various subjects, the more readily they can recall information. The authors also found that previous domain knowledge of the dispute can be invaluable for court interpreters,

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

who may encounter technical terms (891). Similarly, interpreters associations contend that interpreters must have a thorough knowledge of a wide range of subjects (Morgan 2004, 26), which supports Hrehovčík's (2009, 162) proposal that a court interpreter must be competent with the subject area and have research skills to obtain the specific knowledge necessary to interpret in specialised cases. Further, in the absence of 'rehearsing the scenario', a court interpreter may be forced to improvise (Nartowska 2014).

The implications of this finding are twofold. Firstly, professional court interpreters tend to uphold a dilemma fallacy. A false dilemma fallacy is based on an assumption that erroneously restricts a range of possibilities to two options (Van Vleet 2011, 8), in this case, by describing the situation in terms of a simple-complex dichotomy. However, our analysis shows that the complexity of court interpreting is a spectrum spanning between the extremes of simple and difficult, with varying degrees that lie along this continuum. Simplicity and difficulty pertain to how specialised the domain is at a court hearing. Our finding aligns with the degree of restriction in the register theory, in which a continuum extends between maximally restricted registers and open-ended registers (Hatim and Mason 54). This means the degree of complexity of small claims at Jordanian courts can vary depending on the domain knowledge involved, implying varying levels of professionalism among interpreters. In light of the findings, this study supports previous research that calls for allowing interpreters to peruse cases to prepare themselves for hearings.

4.2.1(b) Legal knowledge

The results highlighted conflicting views about the depth of legal knowledge required for court interpreting. The interpreters overwhelmingly stated that the cases

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

they interpreted did not require legal knowledge since they had only to interpret straightforward questions and answers. Similarly, DP4 said that the court usually tries to make things easy to understand and to help individuals feel relaxed when they make their statements or testimonies and they use plain Arabic. Half of the experts (53.3%) said the language used in court is simple with some legal terms included, while 26.7% claimed simplified language almost void of legal terms is used. Expert DP4 suggested that the litigants and witnesses would not be specialised in the law; thus, they would not use legal language.

However, the study noted a sharp contrast to this view. According to INT3, INT6 and DP1, an interpreter in criminal cases must possess more than a basic understanding of the law as they need to interpret the charges so that the defendant can understand the allegations, as well as noticing and correcting their mistakes (INT10). According to Osiejewicz, Podgórna, and Góra-Poland (2015, 154), an interpreter's professional knowledge is not restricted to linguistic abilities but extends to proficiency in legal English and knowledge of legal systems: 'A legal interpreter and translator cannot understand the information implicit in specialized texts without legal training' (156).

Some interpreters and lawyers claimed that legal training is not required for court interpreters, holding that the language used in court—whether Arabic or the foreign language—is plain. Thus, according to them, the language used is not purely legal, which means that the interpreter does not necessarily need an in-depth understanding of the law. The view in this research is that this is a fallacy based on a misinterpretation of what a legal oral message is. For illustration, the legal aspects of statements made by a plaintiff in an American courtroom (Case Closed TV Warren,

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

2010, Episode 1) is worth considering, assuming that such a case could also be litigated in Jordanian courts. The dispute is about unpaid dental bills: the dentist claimed her clinic provided root-canal treatment to a patient (the defendant), who failed to pay the fees. During the hearing, the dentist said, 'We're not going to let you leave our office with an abscess on your tooth'. She also told the judge, 'We did our part; she did not comply with her part'. In both cases, the statements are in plain English, and neither involves any specific legal terms. The use of 'going to + base verb form' indicates an intention rather than a promise, which is otherwise expressed by using 'will + base verb form' (Azar 2002, 52). Thus, what the dentist said should not be construed as a promise that could otherwise be interpreted as a binding unilateral commitment. In the second statement, the dentist asserted that her clinic performed their obligation (i.e. treating the tooth) but that the patient failed to fulfil her obligation by paying. According to the dentist, an oral contract had been entered into, which raised a contract-based dispute based on the patient's default.

The rejection of the argument that the plain language used in court hearings reduces the necessity for an interpreter to possess legal knowledge is supported by previous research. Cao (2014, 108) suggested that even simple words exchanged in court can be filled with hidden complexities that can lead to serious consequences if not handled carefully by interpreters. Additionally, though the language of witness testimonies may be similar to language used outside of the courtroom, it still carries a legal significance and serves a legal purpose under certain circumstances in court (Cao 2010, 81). Grammatical errors made by interpreters 'can have disadvantageous consequences for the witnesses' (Hale 2004, 130), while subtle changes to utterances exchanged could negatively affect the evidence and assessment of a witness's

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

credibility. However, the depth of legal knowledge that court interpreters are required to possess is understudied within the Jordanian context, and no research has investigated how such knowledge affects the accuracy and efficiency of court interpretation. Nevertheless, the Jordanian Civil Code of 1976 states five sources of personal rights that may be subject to dispute: the law, unilateral voluntary act, undue enrichment, tort and contract. These topics are worthy of further research that investigates the potential impact of understanding them on court interpreters' professionalisation.

4.2.1(c) Procedural knowledge

The skills that both the interpreters and lawyers cited are mainly indisputable and understandable. Prior research has highlighted language proficiency, concentration, attention, memory, listening comprehension and note-taking as important skills for court interpreting (Stromberg and Head 1984; González, Vásquez, and Mikkelson 1991; Mikkelson 1998). However, our results highlight some aspects that might be peculiar to the Jordanian courts, including notetaking, interrupting a speaker, asking for clarification, dictating the court reporter and offering a summary interpretation.

The interpreters explained that their minimal use of notetaking was due to the short chunks of utterances they were expected to interpret. Some interpreters wrote keywords, numbers and symbols to assist their short-term memory, although none wrote everything they heard. This finding is in alignment with Jones (1985, 36), who suggested that neither note-taking nor memory skills are of high importance since community interpreters are not usually expected to interpret lengthy segments of speech. However, one interpreter (INT10) recounted that they managed long talks by interrupting the speaker. O'Barr and Conley (1990) supported the short chunking in litigants' statements, reporting that litigants knew that it was rare that they could narrate

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

a story without being interrupted by the judge. González, Vásquez, and Mikkelson (1991) deduced that the high-accuracy standard restricts a court interpreter's ability to memorise and produce everything that is said, even with the help of note-taking, suggesting that an interpreter could be justified in occasionally interrupting a speaker or asking for repetitions. However, the authors warned that the overuse of such techniques could indicate that the interpreter needs to improve their sub-skills since a competent interpreter should not be obstructive. If justified, asking for clarification is important for court interpreters to maintain the illocutionary act and to 'pick up the ambiguity […] unless the ambiguity can be kept by interpreting semantically' (Hale 1996). Court institutions may discourage an interpreter from interrupting the flow of speech or asking for clarifications (Lee 2007), although our results show that in Jordan, judges are generally cooperative with interpreters in this respect and allow them to ask for clarifications whenever needed. Note-taking, interruptions and asking for clarifications are, therefore, skills that court interpreters are encouraged to learn through formal training and use at Jordanian court hearings.

Verbatim interpreting was the default preference of both the interpreters and lawyers to the extent that repetitions and the sequential order of ideas were maintained by some interpreters. This agrees with Susanti (2024) and is in line with the conduit language model, which is:

"A common law construction that allows a court to attribute a translated statement to the non-English speaker, rather than the interpreter, when the interpreter acted only as a "language conduit." (Kracum 2014)

The United States Supreme Court ruled that interpreters are 'no more than language conduits' and unless there is evidence that the interpreter intended to

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

misrepresent the facts or that their interpreting was erroneous, an appeal could not be granted under the Confrontation Clause ('U.S. v. Koskerides,' 1989). However, language conduit theory has drawn some criticism. According to Benoit (2014), the rationale of the language conduit principle arises from a misunderstanding of the job of an interpreter, who should not be viewed as making word-for-word renderings of messages but as being more involved in the communicative and pragmatic dynamics of language. Nartowska (2015) foregrounded other issues countering the language conduit theory, such as the degree to which an interpreter can change a lawyer's power and purposes while interpreting their pleas at court and how an interpreter's rendering of the accused can negatively affect a lawyer's assessment of the situation. Our interviewees indicated that some judges in Jordan have allowed interpreters to give summaries of statements rather than make verbatim renderings. implies the use of a hybrid mode of interpreting that oscillates on the verbatim-summary interpretation pendulum, which should form part of court interpreters' skill set in Jordan.

Finally, one interpreter was asked by the judge to undertake a sight translation of the defendant's statement into her language to verify that what was written in the court report was compatible with what she said. This implies that the judge presumed a court interpreter has the appropriate skills to do so. Sight translation requires the interpreter to skim over a text silently then translate it aloud, a skill that features in certification exams in some jurisdictions (Berk-Seligson 2017). Sight translation may be more difficult in courts than in other settings since it requires the interpreter to have prior knowledge to allow information retrieval (Yaling 2017). Interestingly, none of the remaining interpreters mentioned that they had been asked to conduct sight translation at a court hearing, which raises questions about consistency among judges and the

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**

potential outcomes of cases in which a defendant is ignorant of how their statement has been written in the court report. Nevertheless, the findings point to the viability of including sight translation as a sub-skill in court interpreting professionalisation training.

⌘ Conceptual, procedural and situational knowledge of civil case court interpreters in Jordan. From the findings Findings Chapter 4 from a PhD thesis titled Exploring A Strategic Teachers' Brain-Based Instruction For Small-Claims Court Interpretation: A Case Study In Jordan
By: (2025) Mohammed Abu-Risha, Supervisor: Associate Professor Paramaswari Jaganathan, University Sains Malaysia. Pages: 173-192**. DOI: 10.5281/zenodo.17991669**